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ATTORNEYS FOR DEFENDANTS JINGIT LLC, JINGIT HOLDINGS, LLC, JINGIT FINANCIAL SERVICES, LLC, TODD ROOKE, JOE ROGNESS, SAM ASHKAR, PHIL HAZEL, HOLLY OLIVER, SHANNON DAVIS, JUSTIN JAMES, CHRIS OHLSEN, DAN FRAWLEY, DAVE MOOREHOUSE, II, TONY ABENA, CHRIS KARLS, JOHN E. FLEMING, AND MUSIC.ME, LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Indiezone, Inc., a Delaware corporation, and EoBuy, Limited an Irish private limited company,

Case No: 4:13-CV-04280 (VC)
Hearing Date: June 5, 2014
Hearing Time: 1:30 p.m.
Place: San Francisco Courthouse
Courtroom: 4, 17th Floor

Plaintiffs,

VS.

Todd Rooke, Joe Rogness, Phil Hazel, Sam Ashkar, Holly Oliver and U.S. Bank, collectively the *RICO Defendants*:

**RE-NOTICE OF MOTION OF
DEFENDANTS ROOKE AND ROGNESS
TO COMPEL ARBITRATION WITH
INDIEZONE, INC., DISMISS
PLAINTIFF EOBUY, LIMITED AND
MOTION OF REMAINING
DEFENDANTS TO STAY ALL
REMAINING PROCEEDINGS**

Jingit LLC, Jingit Holdings, LLC, Jingit Financial Services LLC., Music.Me, LLC., Tony Abena, John E. Fleming, Dan Frawley, Dave Moorehouse II, Chris Ohlsen, Justin James, Shannon Davis, Chris Karls in their capacities as officers, agents and/or

1 employees of Jingit LLC, **Defendants in Negligence,**
2 **and Aiding/Abetting;**

3 Wal-Mart, General Electric, Target, DOE(s) and
4 ROE(s) 1 through 10, **Defendants in Negligence**
Secondary-Vicarious Infringement,

5 Defendants.

6

7 PLEASE TAKE NOTICE THAT the hearing on the Motion of Defendants Todd Rooke and
8 Joe Rogness to compel arbitration of all claims against them by Plaintiff Indiezone, Inc., the Motion
9 of Defendants Todd Rooke, Joe Rogness, Jingit, LLC, Jingit Holdings, LLC, Jingit Financial
10 Services, LLC, Sam Ashkar, Phil Hazel, Holly Oliver, Shannon Davis, Justin James, Chris Ohlsen,
11 Dan Frawley, Dave Moorehouse II, Tony Abena, Chris Karls, John E. Fleming, and Music.Me, LLC
12 to dismiss eoBuy, Limited, and the Motion of the above-named Defendants except Rooke and
13 Rogness to stay the remaining claims against them pending the outcome of the arbitration against
14 Rooke and Rogness (ECF 29) is hereby re-noticed for June 5, 2014 at 1:30 p.m. in Courtroom 4 on
15 the 17th Floor of the San Francisco Courthouse before the Honorable Vince Chhabria.
16

17

18 Dated: April 23, 2014

MASLON EDELMAN BORMAN & BRAND, LLP

20 By: /s/ Joseph P. Ceronsky
21 Joseph P. Ceronsky (MN Bar No. 391059)
(admitted *Pro hac vice*)

22 ATTORNEYS FOR DEFENDANTS JINGIT LLC,
23 JINGIT HOLDINGS, LLC, JINGIT FINANCIAL
24 SERVICES, LLC, MUSIC.ME, LLC, TODD
25 ROOKE, JOE ROGNESS, SAM ASHKAR, PHIL
26 HAZEL, HOLLY OLIVER, SHANNON DAVIS,
JUSTIN JAMES, CHRIS OHLSEN, DAN
FRAWLEY, DAVE MOOREHOUSE II, TONY
ABENA, CHRIS KARLS AND JOHN E.
FLEMING

27 #1036797

28 RE-NOTICE OF MOTION TO COMPEL
ARBITRATION WITH INDIEZONE, INC. - Case
No: CV 13-04280 (VC)